IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.517 OF 2007.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Shri N.R.Saboo, Advocate for Petitioner.
Shri K.S. Dhote, A.G.P. for Respondent Nos. 1 & 2.
Mrs. Meenaxi Iyer, Advocate for Respondent No.3.

CORAM : A.H.JOSHI AND
R.C.CHAVAN, JJ.

DATED : MARCH 28, 2007.

1. Petitioner's first envelope was opened. It was seen that the petitioner had placed on record agreement entered with him by Mr. R.S. Bhagwat an Electrical Contractor who was not registered with P.W.D. Therefore, petitioner's second envelope was not opened giving remark on the first envelope that the tender qualifications were not complied with. due to said deficiency in relation to Electrical Contractor was not contractor registered with Public Works Department.

2. In this petition the petitioner has challenged the said declinement of opening second envelopment by rejecting petitioner's being qualified.

3. Respondents No.1 and 2 have placed on record copy

of tender document. It is seen from Annexure-R-II page 33/58 of the paper book that the relevant condition read as follows :

> "*Certificate as registered contractor with the Govt. of the Maharashtra (P.W.D. Electrical) as may be applicable.*"

Thus the registration of the tenderer as well as of Electrical Contractor with Public Works Department was imperative.

4. The above stipulation was part of the tender document and therefore, was within the knowledge of the petitioner. Thus, rejection of petitioner's tender at the stage of scrutiny of qualification was according to tender condition.

5. The said condition is nowhere challenged.

6. We, therefore, find that there is no substance in the petition. The petition is, therefore, dismissed.

JUDGE. **JUDGE.**

RR.